

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.2.2
Eastern Division**

Protect Our Parks, et al.

Plaintiff,

v.

Case No.: 1:18-cv-03424

Honorable John Robert Blakey

Chicago Park District, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, January 22, 2019:

MINUTE entry before the Honorable John Robert Blakey: Defendants have moved to dismiss Plaintiff's complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1), and in the alternative, for judgment on the pleadings pursuant to Rule 12(c). [48]. In light of: (1) the extensive list of exhibits of which Defendants have asked this Court to take judicial notice, see [48] at 35; (2) Defendants statement that they "would have no objection" to this Court converting their motion for judgment on the pleadings to a Rule 56 motion for summary judgment, *id.* at 8, and (3) Plaintiffs' lack of objection to such a proposal in their response memorandum, see [65-1], this Court exercises its discretion to convert Defendants' motion for judgment on the pleadings to a Rule 56 motion for summary judgment. Fed R. Civ. P. 12(d); see, e.g., *Intercon Solutions, Inc. v. Basel Action Network*, 969 F. Supp. 2d 1026, 1047 (N.D. Ill. 2013) ("Rule 12(d) grants the trial court discretion in determining whether to convert a Rule 12 motion to a motion for summary judgment and whether to accept materials outside of the pleadings."). Pursuant to Rule 12(d), the parties are given until 2/5/19 to advise this Court whether they object to a Rule 56 conversion, as well as to present all additional materials, if any, that may be pertinent to the motion for summary judgment. This Court converts only Defendants' Rule 12(c) motion for judgment on the pleadings [48]; the motion to dismiss for lack of subject matter jurisdiction [48] stands, as does the Defendants' 2/1/19 reply date as to that motion. All other dates and deadlines stand. Mailed notice(gel,)

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